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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/619,957	07/20/2000	James F. Kohli	GEMS:0085	3647
7590	05/19/2005		EXAMINER	
Patrick S Yoder Suite 330 7915 FM 1960 West Houston, TX 77070			MORGAN, ROBERT W	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/619,957

**Applicant(s)**

KOHLI, JAMES F.

**Examiner**

Robert W. Morgan

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### *Notice to Applicant*

1. In the amendment filed 1/18/05 the following has occurred: claims 12, 19, 36 and 37 have been amended. Now claims 1-37 are presented for examination.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,260,021 to Wong et al. in view of U.S. Patent No. 4,899,292 to Montagna et al, for substantially the same reasons given in the previous Office Action (dated 10/13/04). Further reasons appear below.

(A) Claims 1-11, 13-18 and 20-35 have been not been amended, and are rejected for the same reasons given in the previous Office Action (dated 10/13/04), and incorporated herein. Further reasons appear hereinbelow.

(B) Claim 12 has been amended to now recite the step of "...second space separated from the first processing space by a security device".

As per this limitation, Wong et al. is relied on for teaching that the client systems that are link via network links (36, Fig. 1) such as campus intranet, a wide-area intranet, or even the Internet (see: column 8, lines 53-61). In addition, Wong et al. teaches a security object server for authorizing user access to the image distribution system to particular objects and appropriate

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security protocols such as socket layer or other link encryption protocols are used to insure confidentiality of the medical information (reads on “transmitting data by a security device”) (see: column 3, lines 46-48 and column 8, lines 59-64). Montagna was relied for teaching the transmission of data from the DRAM/SRAM (second processing space) and the central computer (437, Fig. 4) (first processing space) (see: column 14, line 50 to column 15, line 2). The Examiner considers the security protocols as taught by Wong and combining the separate processing space as taught by Montagna arrives at the Applicant invention.

The obviousness for combining the teachings of Montagna et al. with the system as taught by Wong et al. are discussed in the rejection of claim 1, and incorporated herein.

Claims 19 and 37 has been amended to now recite the step of “...first processing space to a second processing space securely separated from the first processing space”.

As per this limitation, Wong et al. is relied on for teaching that the client systems that are link via network links (36, Fig. 1) such as campus intranet, a wide-area intranet, or even the Internet (see: column 8, lines 53-61). In addition, Wong et al. teaches a security object server for authorizing user access to the image distribution system to particular objects and appropriate security protocols such as socket layer or other link encryption protocols are used to insure confidentiality of the medical information (reads on “transmitting data by a security device”) (see: column 3, lines 46-48 and column 8, lines 59-64). Montagna was relied for teaching the transmission of data from the DRAM/SRAM (second processing space) and the central computer (437, Fig. 4) (first processing space) (see: column 14, line 50 to column 15, line 2). The Examiner considers the security protocols as taught by Wong and combining the separate processing space as taught by Montagna arrives at the Applicant invention.

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The obviousness for combining the teachings of Montagna et al. with the system as taught by Wong et al. are discussed in the rejection of claim 1, and incorporated herein.

Claim 36 has been to now recite the step of "...second processing space securely separated from the first processing space".

As per this limitation, Wong et al. is relied on for teaching that the client systems that are link via network links (36, Fig. 1) such as campus intranet, a wide-area intranet, or even the Internet (see: column 8, lines 53-61). In addition, Wong et al. teaches a security object server for authorizing user access to the image distribution system to particular objects and appropriate security protocols such as socket layer or other link encryption protocols are used to insure confidentiality of the medical information (reads on "transmitting data by a security device") (see: column 3, lines 46-48 and column 8, lines 59-64). Montagna was relied for teaching the transmission of data from the DRAM/SRAM (second processing space) and the central computer (437, Fig. 4) (first processing space) (see: column 14, line 50 to column 15, line 2). The Examiner considers the security protocols as taught by Wong and combining the separate processing space as taught by Montagna arrives at the Applicant invention.

The obviousness for combining the teachings of Montagna et al. with the system as taught by Wong et al. are discussed in the rejection of claim 1, and incorporated herein.

### ***Response to Arguments***

Applicant's arguments filed 1/18/05 have been fully considered but they are not persuasive. Applicant's arguments will be addressed hereinbelow in the order in which they appear in the response filed 1/18/05.

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(A) In the remarks the Applicant argues in substance that, (1) Wong and Montagna references do not disclose a first and a second processing space; (2) Wong and Montagna references do not disclose utilizing a security device or providing secure separation between the processing space; and (3) Wong and Montagna references do not disclose data associated with the operation or activities of a medical facility.

(B) In response to Applicant arguments that, (1) Wong and Montagna references do not disclose a first and a second processing space. The Examiner respectfully submits Montagna teaches the transmission of data from the DRAM/SRAM (second processing space) and the central computer (437, Fig. 4) (first processing space) (see: column 14, line 50 to column 15, line 2). Furthermore, Montagna teaches that communications between the computer terminal (20 Fig. 4) that includes DRAM/SRAM and the central computer (437, Fig. 4) is completed via a modem (89, Fig. 4) (see: column 6, lines 40-41). This clearly shows that the computer including DRAM/SRAM (second processing space) and the central computer (437, Fig. 4) (first processing space) use separate processing space because access is gained via a modem as illustrated in Fig. 4 of Montagna. In addition, Applicant has not defined the term "processing space" as a storage device capable of processing any data or information therefore, the processing space can be a storage device for data or information already processed as described by Montagna.

(C) In response to Applicant arguments that, (2) Wong and Montagna references do not disclose utilizing a security device or providing secure separation between the processing space. This Examiner respectfully submits the reference of Wong et al. is relied on for teaching that the client systems that are link via network links (36, Fig. 1) such as campus intranet, a wide-area intranet, or even the Internet (see: column 8, lines 53-61). In addition, Wong et al. teaches a

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security object server for authorizing user access to the image distribution system to particular objects and appropriate security protocols such as socket layer or other link encryption protocols are used to insure confidentiality of the medical information (reads on “transmitting data by security device”) (see: column 3, lines 46-48 and column 8, lines 59-64). Montagna was relied for teaching the transmission of data from the DRAM/SRAM (second processing space) and the central computer (437, Fig. 4) (first processing space) (see: column 14, line 50 to column 15, line 2). The Examiner considers the security protocols such as a login process to be completed before data has the capabilities of being transmitted as taught by Wong and combining the separate processing space as taught by Montagna arrives at the Applicant invention.

(D) In response to Applicant arguments that, (3) Wong and Montagna references do not disclose data associated with the operation or activities of a medical facility. The Examiner respectfully submits the reference of Wong teaches a middleware database (62, Fig. 2) that stores data and persistent objects necessary for the functioning of the image server middleware (see: column 12, lines 65-67). In addition, Wong teaches a location data component (106, Fig. 3) that stores object identifiers and other data defining current physical location for performing COBRA/IIOP communication (see: column 13, lines 45-58). The Examiner considers the data stored in the middleware database to include operation or activities of a medical facility.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

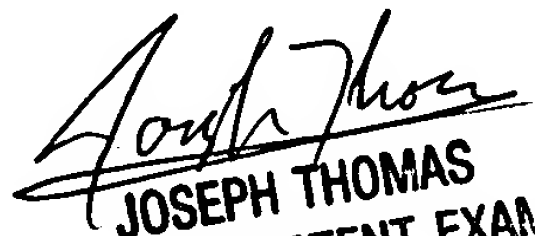
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Morgan whose telephone number is (571) 272-6773.

The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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